

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YURI COUTO,

Plaintiff,

-against-

JP MORGAN CHASE & CO.,

Defendant.

23-CV-9306 (LTS)

ORDER DIRECTING PAYMENT OF FEE
OR IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed *in forma pauperis* (“IFP”), that is, without prepayment of fees, submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915.

On October 27, 2023, the court received from Plaintiff a personal check in the amount of \$402.00, but the court does not accept personal checks. On October 30, 2023, the court’s Finance Department placed an entry on the docket indicating that the payment was deficient because a personal check was not an acceptable payment method. In response to the docket entry, on October 31, 2023, Plaintiff filed a letter motion stating that the Court was required to accept his personal check and that he intended to send to the court a second personal check. (ECF 3.)

Because the court is not obligated to accept Plaintiff’s personal checks, the Court denies Plaintiff’s letter motion. If Plaintiff wishes to pursue this action, within 30 days, he must pay the full \$402.00 in fees using an acceptable payment method. The filing fees can be paid by certified check or money order, payable to: Clerk of Court – SDNY, and can be mailed to: Cashiers Unit – Room 260, 500 Pearl Street, New York, NY 10007. Any certified check or money order must include Plaintiff’s case number, 23-CV-9306 (LTS). Payment can also be made by major credit

card or cash (if the payment is made in person). Personal checks are not acceptable. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed without prejudice.

The Clerk of Court is directed to return to Plaintiff all personal checks that he has submitted to the court.

CONCLUSION

The Court denies Plaintiff's letter motion (ECF 3) and directs Plaintiff, within 30 days, to submit the full \$402.00 in fees for this civil action using one of the acceptable forms of payment described above. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed without prejudice.

The Clerk of Court is directed to return to Plaintiff all personal checks that he has submitted to the court.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: November 1, 2023
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge